

1894-049 Chancery Causes: Henry McQueen vs. Mary F. McQueen  
Lee Co.

Alsup, Carrol, Parsons

CA-Divorce  
T-Vices

To the Honorable H. S. K. Morison, Judge  
of the Circuit Court for Lee Co., humbly  
complaining sheweth unto your honor:

That your orator was in the year  
1880 lawfully married unto Mary F. McGinn  
then Mary F. Alsop, in the county of  
Lee; That after said marriage your orator  
lived and cohabited with his said wife  
in the county of Lee, and That your  
orator and his wife have had issue of  
their marriage 3 children the young-  
est of which is 2 years old; That  
within five years next preceding  
the bringing of this suit and on de-  
rurr occasions since that day to  
the bringing of this suit the said  
Mary F. McGinn in the county of Lee  
and at other places cohabited with  
and had sexual intercourse with  
other persons than your orator, and  
did in the spring of 1892 part from  
her own lawful and wedded husband,  
and go away with one William Carroll,  
greatly to the mortification of your  
orator, and with him lived in  
illicit cohabitation and adultery.



And your arator would further represent that he has not since knowledge of the adultery above alleged, lived with the said wife nor has he in any way condoned, excused or forgiven her of her <sup>said</sup> adulterous acts; And your arator further represents that he was at the time of the alleged adultery, and is now, and has been for the last year next preceding the bringing of this suit, ~~bona~~ side a resident of this the County of Len and Stoke of Va; And your arator represents also that the said adulterous acts were committed & done by your arator's said wife without <sup>the</sup> consent procurement and connivance of your arator.

Your arator being remediless in a court of Equity humbly prays that your honor take cognizance of this his cause of complaint that the said Mary F. McGuire be made party defendant to this bill, and that she be required to answer the same completely and fully upon oath all the allegations herein set forth, and that your arator may be decreed a divorce from the bond of matrimony.



1894 March Term  
Deer Creek Court  
V B 576

C 8.01  
~~Deo 2.50~~  
Pr. 5.00  
A 15.00  

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\$30.57

90 to 00  
me

2<sup>d</sup> Jan'y 03. 1894

Henry McGowan - Com

V.S. } Bill in Chanc. for Divorce  
Mary F. McGowan, Deft

Filed Aug 9<sup>th</sup> 1893

A B Munsey  
Clerk

1893 1<sup>st</sup> Aug Rules  
will filed & paid  
not exd & could

" 2<sup>d</sup> Aug Rules "

" 1<sup>st</sup> 2<sup>d</sup> Sept "

" 1<sup>st</sup> Octo "

" 2<sup>d</sup> Octo " affid  
for O.P. filed & returned

" 1<sup>st</sup> 2<sup>d</sup> Nov. Rules Cato,

" 1<sup>st</sup> 2<sup>d</sup> Dec. "

1894 1<sup>st</sup> Jan'y Rules O.P.

" 2<sup>d</sup> Jan'y Rules O.P.

" 1<sup>st</sup> Feb Rules O.P.

" 2<sup>d</sup> " O.P. completed &

D. nisi could & cause  
set for hearing by

Permitting to be 1894

Permitting to be 1894

Henry McGowan - Com  
and that Henry and all other and further  
relief be granted him as the nature  
of his case may require; And he  
wille, as in and fully answered, verified &c -  
Henry McGowan Sheriff



Henry Mc Queen , Comp'lt,

Mary F. Mc Queen , Deft.

The defendent , Mary F. McQueen , who is out of this state and against whom the complainant appears to have proceeded in the manner prescribed by law against non-resident defendant , ~~and she still failing to appear and answer , on motion of the complainant , by counsel~~ and this cause coming on this day to be heard upon the bill of the complainant and the deposition of witnesses , and was argued by counsel: on consideration of all which and ~~for~~ for reasons appearing to the court , it is adjudged , ordered and decreed that the complainant , Henry Mc Queen be and is hereby granted a ~~de~~ divorce from said Mary F. McQueen , a vinculo matrimonie forever dissolving the bonds of matrimony heretofore existing between said complainant and said defendent , and that said complainant recover from said defendent his costs in this ~~suit~~ *+ deft is not allowed contribution from Mary Queen as deft* suit expended . AND this cause is stricken from the docket .



Henry McQueen

vs. Deena

Mary F. McQueen.

CCO P. Page 576  
Mch 13 '94

Enter this  
March 13 1894  
J. K. M.

divorce from said Mary F. McQueen. A vincent marriage contract complaint, Henry McQueen he and is hereby gr. nted a de-  
the court, it is adjudged, ordered and decreed that the  
on consideration of all which and XX for reasons appearing, do  
the deposition of witnesses, and was signed by counsel;  
on this day to be heard upon the bill of the complaint and  
motion of the complaint, by counsel and this cause came  
defendant, and she still failing to appear and answer, and  
needed in the manner prescribed by law against non-resident  
state and against whom the complaint appears to have pro-  
The defendant, Mary F. McQueen, who is one of this  
Mary F. McQueen, Defr.  
Henry McQueen, Comp. Pl.



The depositions of  
Zion R. Parsons  
taken before me W. K. Hopkins  
a notary public for the County of Lee  
and State of Virginia at the law of-  
fice of E. H. Remington in the town  
of Remington Gap in the Co. of Lee, Va.  
on the 15th day of February 1894 to be  
read as evidence in a certain  
suit in equity depending in the  
Circuit Court of the County wherein  
Mary T. McGrew is defendant  
and Henry McGrew is plaintiff.

Present E. H. Remington for plaintiff

The witness Zion R. Parsons  
being duly sworn deposes as follows:

Ques. 1 State your age, residence  
and occupation.

Ans. I <sup>am</sup> 37 years old, reside in the  
Crab Orchard county in this county, & am  
a farmer.

Ques. 2. State your acquaintance with  
the parties to this suit.

Ans. I have <sup>known</sup> the defendant since she was  
but a small girl & have known  
the plaintiff some 8 or ten years.  
I remember when these parties were  
married, some fifteen years ago.  
Since the marriage of these parties



I have lived within  $1\frac{1}{2}$  to 2 miles of them for 3 or four years, and while not living so near, I frequently saw them

Ques Please state where the plaintiff in this cause now resides and how long has he so resided.

Ans He ~~now~~ resides in Lee county Va & has so resided next preceding this time, <sup>institution of this suit</sup> some 12 or 15 years.

Ques Please state whether or not, if you know, the defendant in this cause Mary F McQueen, has been guilty of adultery, if so when & how often, & when last so guilty.

Ans I do know that the said Mary F McQueen some two or three years ago, did commit the crime of adultery, by having sexual intercourse, with a man other than her husband. I only know of her committing this crime, but once. She has had, for the last 2 or three years a very bad reputation for chastity & virtue.

Ques Please state whether or not said adultery act, was brought about by the procurement, consent or connivance of the plaintiff.



Ans it was not.

Ques state whether or not said plaintiff has condoned, lived with or had sexual intercourse with said defendant since you gave him information of her said adulterous act

Ans " Not to my knowledge, nor I never heard of it, I don't think he has. If he had I believe I would have known it or heard of it

Further this deponent saith not.

Gion R<sup>th</sup> Parsons  
in and

Virginia, Lee County to wit:

I, W. K. Hopkins a Notary Public in & for the County aforesaid in the State of Va do certify that Gion R. Parsons whose name is signed to the foregoing deposition bearing date on the 16<sup>th</sup> day of July 1894 made oath to the same before me in my County aforesaid, and subscribed his name thereto in my presence.

Given under my hand on this the 16<sup>th</sup> day of July 1894

W. K. Hopkins Not. Pub.  
for Lee County

Virginia

County of Lee to wit:

I, W. K. Hopkins a Notary Public



Henry McGuen

vs. Depositions

Mary A. McGuen

Received by mail in good  
condition on the 17th day  
of February 1894 and filed

A. B. Munsey Clk

for the County of Lu and State of Va.  
do hereby certify that the foregoing  
depositions of James R. Robbins was  
duly taken, sworn to and subscribed  
before me at the time & place and for  
the purpose therein mentioned.

Given under my hand this 15th day of  
February, 1894

W. K. Hupkins  
Notary Public.



In the Clerk's Office of the Circuit Court of the County of  
*Lee*

*Henry McQueen* Plaintiff, *vs* *John Lehey*  
against

*Mary McQueen* Defendant

This day *I Allen McQueen* personally appeared  
before me, *J. As. Hyatt* Clerk of the said Court,  
and being duly sworn, made oath that *Mary McQueen*

defendant in the said suit *is* not a resident of the State of Virginia,

*Clerk*  
Given under my hand as Clerk of the said Court, this *16<sup>th</sup>* day of *October*

18 *93.*

*J. As. Hyatt*  
*Clerk*



Henry McQueen

vs.

AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

Mary McQueen

Pennington Bros. p. q.

Filed

Octo. 16<sup>th</sup> 1893

J. A. Hyatt D. C.



In the Clerk's Office of the Circuit Court of the County of  
*Lee* on the *13<sup>th</sup>* day of *January* 1894.

*Henry M. Gueen* - - - - - Plaintiff  
against

*Mary H. M. Gueen* Defendant

The object of this suit is to *Obtain a divorce a vinculo*  
*matrimonial* *for cause shown in the Plain-*  
*tiff's bill of Complaint.*

And an affidavit having been made and filed that the defendant

not resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days*  
after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County*  
*Republican* and that a copy be posted at the front door of the court-house of this  
on the first day of the next term of the *County* Court.

A copy—Teste:

*Perrington Bros* p. q.

*A. B. Mursey* Clerk.



Henry McQueen

vs. }

ORDER OF  
PUBLICATION.

Mary F. McQueen  
I A. B. Munsey clerk  
of the Circuit Court of  
Lee County do certify that  
I delivered to the Lee  
County Republican the  
within order on the 13<sup>th</sup>  
January 1894 for publication  
and posted a copy thereof  
at the front door of the Court  
house at the January term  
1894 of the County Court

A. B. Munsey clerk



Henry M. Gurn

AGAINST

Mary A. McGurn

To Mary A. McGurn

Take notice that on the 5<sup>th</sup> day

of August, 1883, at E. W. Pennington's law office, in Lin

County, State of Virginia I will proceed to take the deposition of

John Carrace and others  
to be read as evidence on behalf of myself

in a certain suit in chancery now pending in the Circuit Court of Lin

County, State of Virginia, wherein I am

Plaintiff and you are, Defendant. And if from any

cause the taking of said deposition is not begun on that day, or being begun not completed, the same will be continued from day to day or from time to time, and, if desired, from place to place, until the same are complete. You may attend and cross-examine if you wish.

July 8<sup>th</sup>, 1883

Very Respectfully,

Henry M. Gurn



For  
Mary A. McQueen



Henry M<sup>c</sup>Queen

AGAINST

Mary F. M<sup>c</sup>Queen

To Mary F. M<sup>c</sup>Queen

Take notice that on the 5<sup>th</sup> day

of August, 1893, at W. H. Pennington's law office, in Lin

County, State of Virginia I will proceed to take the deposition of J. H. Curran

et al

to be read as evidence on behalf of myself

in a certain suit in Chancery now pending in the Circuit Court of Lin

County, State of Virginia, wherein I am

Plaintiff and You are, Defendant. And if from any

cause the taking of said deposition is not begun on that day, or being begun not completed, the same will be continued from day to day or from time to time, and, if desired, from place to place, until the same are complete. You may attend and cross-examine if you wish.

July 8<sup>th</sup>, 1893

Very Respectfully,

Henry M<sup>c</sup>Queen  
per Curran







# The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON.....

*Mary L. McGinnis*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House on the first Monday in .....

*August* next, being rule day to answer a bill in Chancery exhibited in our said Court against

*her* by .....

*Henry McGinnis*

And have then and there this writ.

Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *15* day of *June* 18 *73*, in the 11 *7* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste

*J. A. G. Hyatt* Clerk.



For

Mary F. McGuire



# The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON.....

*Mary F McQueen*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in.....

*August*.....next, being rule day to answer a bill in Chancery exhibited in our said Court against

*her*..... by.....

*Henry McQueen*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This....*15<sup>th</sup>*.....day of.....*June*.....18*93* in the 11*7* year of the Commonwealth.

*J A G Hyatt* Clerk.

A Copy Teste.....Clerk.



(D & B)

Henry McQueen  
B Spain  
vs 3 Chey

Mary F. McQueen  
To P. Aug. Rules 1895,

Not Executed

Not found

M. R. F. R. D. S.

for 65 Mary  
S. S. C.

Sh



In the clerks office of the circuit court  
of the county of Lee on the 13th day of  
January 1894.

Henry McQueen

Pltf

against

Mary F. McQueen

Deft.

In Chan'y

The objct of this suit is to obtain a  
divorce a vinculo matrimonial for causes  
shown in the plaintiffs bill of complaint

And an affidavit having been made and  
filed that the defendant Mary F. Mc  
Queen is not a resident of the State of  
Virginia it is ordered that she do appear  
here within fifteen days after due publi  
cation hereof, and do what may be nec  
essary to protect her interest in this suit.  
And it is further ordered that a copy here  
of be published once a week for four  
weeks in the Lee County Republican and  
that a copy hereof be posted at the front  
door of the court house of this county on  
the first day of the next term of the  
county court.

A copy--Teste:

A. B. Munsey Clerk.

Pennington Bros.

5-16

I W. R. Bryden & Sons pub

isher of the LEE COUNTY REPUBLICAN  
a weekly newspaper, published in the  
town of Jonesville, county of Lee, and  
State of Virginia, do hereby certify that  
the foregoing Order of Publication was  
duly published in the above named pa  
per for four successive weeks, ending the

21st day of Feb 1894.

for Sam L. Bryden

Publisher, LEE COUNTY REPUBLICAN